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TO: Examiner Kincaid

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USPTO

DATE: March 21, 2003

FROM: Geza C. Ziegler, Jr. Esq.

RE: Serial No. 09/231,066

P&G Reference: 836-008422-US (PAR)

*Number of Pages, including this sheet, being transmitted: 4*

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## **“EXPEDITED PROCEDURE”**

**Per your request, please see the attached Request for  
Reconsideration.**

**Thank you.**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Ruutu V.  
SERIAL NO.: 09/231,066 ART UNIT: 2685  
FILING DATE: 01/14/99 EXAMINER: Mehrpour, N.  
TITLE: CELLULAR RADIO POSITIONING  
ATTORNEY  
DOCKET NO.: 836-008422-US (PAR)

BOX AF  
Commissioner of Patents  
Washington, D.C. 20231

## REQUEST FOR RECONSIDERATION

Sir:

This is in response to the Office Action mailed November 4, 2002 (Paper No. 20) and in furtherance of the telephone call from the Examiner on December 10, 2002 in regard to the above-identified patent application. Reconsideration of the finality of that action and the rejection of the claims are respectfully solicited in light of the following remarks.

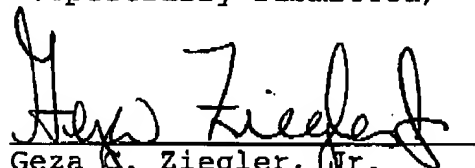
Claims 9, 10 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over international publication W/O 96/35306 in view of Zadeh (U.S. Patent No. 6,324,406. It is respectfully submitted that Zadeh is not a proper reference for purposes of 35 U.S.C. §103(a). Zadeh was filed on April 27, 1998. Applicant claims priority from Finnish application number 980077 filed on January 15, 1998, which is prior to the filing

date of Zadeh. A certified copy of the priority document was filed on January 14, 1999. Therefore, Zadeh is not a proper reference for the purposes of 35 U.S.C. §103(a), and the rejection should be withdrawn.

For the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Geza G. Ziegler, Jr.  
Reg. No. 44,004

12-10-02  
Date

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## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 308- 6296 on December 10, 2002.

Denise Spaulding  
Signature

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Name of Person Certifying